

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

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| Applicant's or agent's file reference 030415PCT | FOR FURTHER ACTION | See Form PCT/IPEA/416 |
| International application No. PCT/JP2004/010768 | International filing date (day/month/year) 22.07.2004 | Priority date (day/month/year) 23.07.2003 |
| International Patent Classification (IPC) or national classification and IPC G11B20/12, 7/004, 20/10 | | |
| Applicant PIONEER CORPORATION | | |

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| 1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36. |
| 2. This REPORT consists of a total of <u>6</u> sheets, including this cover sheet. |
| 3. This report is also accompanied by ANNEXES, comprising: a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>6</u> sheets, as follows: <input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (sent to the International Bureau only) a total of _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions). |
| 4. This report contains indications relating to the following items: <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application |

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| Date of submission of the demand | Date of completion of this report |
| Name and mailing address of the IPEA/JP | Authorized officer |
| Facsimile No. | Telephone No. |

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2004/010768

| Box No. I | Basis of the report |
|-----------|---|
| 1. | <p>With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.</p> <p><input type="checkbox"/> This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:</p> <p><input type="checkbox"/> international search (Rule 12.3 and 23.1(b))</p> <p><input type="checkbox"/> publication of the international application (Rule 12.4)</p> <p><input type="checkbox"/> international preliminary examination (Rule 55.2 and/or 55.3)</p> |
| 2. | <p>With regard to the elements of the international application, this report is based on (<i>replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report</i>):</p> <p><input type="checkbox"/> the international application as originally filed/furnished</p> <p><input checked="" type="checkbox"/> the description:</p> <p>pages <u>1-39</u> _____ as originally filed/furnished</p> <p>pages* _____ received by this Authority on _____</p> <p>pages* _____ received by this Authority on _____</p> <p><input checked="" type="checkbox"/> the claims:</p> <p>nos. <u>2-5, 7, 9, 11-14</u> _____ as originally filed/furnished</p> <p>nos.* _____ as amended (together with any statement) under Article 19</p> <p>nos.* <u>1, 6, 8, 10, 15</u> received by this Authority on <u>12.08.2005</u></p> <p>nos.* _____ received by this Authority on _____</p> <p><input checked="" type="checkbox"/> the drawings:</p> <p>sheets <u>fig. 1-14</u> _____ as originally filed/furnished</p> <p>sheets* _____ received by this Authority on _____</p> <p>sheets* _____ received by this Authority on _____</p> <p><input type="checkbox"/> a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.</p> |
| 3. | <p><input type="checkbox"/> The amendments have resulted in the cancellation of:</p> <p><input type="checkbox"/> the description, pages _____</p> <p><input type="checkbox"/> the claims, nos. _____</p> <p><input type="checkbox"/> the drawings, sheets/figs _____</p> <p><input type="checkbox"/> the sequence listing (<i>specify</i>): _____</p> <p><input type="checkbox"/> any table(s) related to sequence listing (<i>specify</i>): _____</p> |
| 4. | <p><input type="checkbox"/> This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).</p> <p><input type="checkbox"/> the description, pages _____</p> <p><input type="checkbox"/> the claims, nos. _____</p> <p><input type="checkbox"/> the drawings, sheets/figs _____</p> <p><input type="checkbox"/> the sequence listing (<i>specify</i>): _____</p> <p><input type="checkbox"/> any table(s) related to sequence listing (<i>specify</i>): _____</p> |

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

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| Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement | | |
|---|---|-------------|-----|
| 1. Statement | | | |
| Novelty (N) | Claims | <u>1-15</u> | YES |
| | Claims | | NO |
| Inventive step (IS) | Claims | | YES |
| | Claims | <u>1-15</u> | NO |
| Industrial applicability (IA) | Claims | <u>1-15</u> | YES |
| | Claims | | NO |
| 2. Citations and explanations (Rule 70.7) | | | |
| <u>Claims 1-3, 8-15</u> | | | |
| Document 1: JP 11-066751 A (Ricoh Co., Ltd.), 9 March 1999, paragraphs [0048]-[0055], fig. 6-7, (Family: none) | | | |
| Document 2: JP 2003-505813 A (Koninklijke Philips Electronics N.V.), 12 February 2003, all pages, all drawings & WO 01/06512 A1 | | | |
| Document 3: JP 63-124270 A (Matsushita Electric Industrial Co., Ltd.), 27 May 1988, all pages, all drawings, (Family: none) | | | |
| Document 4: JP 05-108441 A (Canon Inc.), 30 April 1993, paragraph [0003], fig. 4, (Family: none) | | | |
| <p>Document 1 discloses a writeable recording medium provided with a data area and with an exchange packet region comprising an exchange packet address management unit having as its starting point a specified position located on the outside of the read-out region and an exchange packet data region having as its starting point a point that differs from the aforementioned position; and a device and a method wherein recording and playback is performed using the data recorded in said exchange packet region. The feature wherein an exchange zone for</p> | | | |

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recording default blocking data is provided to a part of the user region thereby ensuring the freedom of the ability to set the size of the region is known, as disclosed in document 2 and the matter of whether such a region is provided to the exchange packet region disclosed in document 1 is one of design to a person skilled in the art. Moreover, as disclosed in document 3 and suggested in document 4 (fig. 4), the feature wherein, when recording data for recording and management data for said data in specified regions, the data for recording and the management data therefor are recorded in specified regions but at opposite ends to one another in order to utilise the recording space without any waste, was known prior to the filing of the present application and since a person skilled in the art would normally consider using a recording region effectively, it would be easy for a person skilled in the art to conceive of using the exchange packet region in document 1 as a common region for the exchange packet address and the exchange packet data.

Claims 4 and 5

Documents 1-4 and

Document 5: JP 2000-357374 A (Hitachi Maxell, Ltd.), 26
December 2000, paragraph [0004], (Family:
none)

As disclosed in document 5, the feature wherein recording management data containing exchange region data is recorded multiple times in multiple places and, in addition, each of these regions is replicated and recorded was known prior to the filing of the present application and there appears to be no difficulty in

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

combining these features with document 1.

Claim 6

Documents 1-4

Document 6: JP 2000-036161 A (Samsung Electronics Co., Ltd.), 2 February 2000, paragraphs [0066] and [0072] & EP 0965988 A2, paragraph [0103]

Document 8: JP 2002-312940 A (Matsushita Electric Industrial Co., Ltd.), 25 October 2002, paragraphs [0009]-[0010], (Family: none)

With respect to the feature wherein the common area is recorded during the unfinalised period and the common area is ultimately recorded in the defect management area when the finalisation occurs, a feature wherein, when recording onto a writeable recording medium, defect management data is recorded in an RMD region (see paragraph [0066]) and then ultimately recorded in the read-in region, which is the management data region, at finalisation (see paragraph [0072]) is common practice, as disclosed in document 6. Moreover, the feature wherein the RMD region is recorded during the non-finalisation period and data is produced during the finalisation period for recording in the read-in region using said RMD data, is common practice, as disclosed in document 8. Therefore, these features do not appear to have any particular significance in comparison to the features disclosed in documents 1, 2, 6 and 8. Limiting recording into a data region after finalisation would be obvious to a person skilled in the art.

Claim 7

Documents 1-4, 6, 8 and

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Document 7: JP 2000-195178 A (Matsushita Electric
Industrial Co., Ltd.), 14 July 2000, fig. 3
& EP 0997904 A1, fig. 3

Document 7 discloses the feature wherein the spare region is that between the read-in region and the user region. Therefore, the feature wherein the spare region is provided in any region of the disc was known in various arrangements prior to the filing of the present application and applying such a known arrangement would be a matter of design for a person skilled in the art.